

REMARKS

Claims 1-22 are pending in the application. The Office Action of March 12, 2004 ("Office Action") rejected claims 1-22. No claims have been amended, cancelled or added.

Claims 1-22 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,898,756 ("Manning") in view of U.S. Patent No. 6,167,120 ("Kikinis"). For the following reasons, Applicants respectfully submit that the claims are allowable over Manning in view of Kikinis.

The Office Action states that Manning teaches a transmission inhibiting device that allows DTMF signals to either be sent to a central office or received from a central office when those DTMF signals are indicative of actual telephone calls, or to be inhibited from reaching the central office 5, when those DTMF signals are meant to control, program, etc. devices with the home. The Office Action further states that Manning discloses that the transmission inhibition is accomplished by attenuating those DTMF signals not meant to be sent to the central office via the telephone link 10. The Office Action concludes regarding Manning that "the situation where DTMF signals are allowed to pass through to/from central office 5 reads on the claimed invention wherein the telephone device is in a connected state. When the DTMF signals are being attenuated, this reads on the claimed invention wherein the telephone is in a disconnected state."

Applicants respectfully submit that Manning does not disclose or suggest, alone or in combination with Kikinis, all of the limitations of claim 1 of the present application. Claim 1, among other things, recites "a telephone interface configured to . . . in a telephone link disconnected state, disconnect the at least one telephony device from the telephone link." Manning does not disclose or suggest anywhere that the telephone is disconnected from the link to the central office. Instead, Manning states that an AC load is switched in on a link between a telephone and the central office. According to Manning, this AC load does not disconnect the phone from the link; it merely causes attenuation of signals on the link from the telephone to the central office. Col. 4, lines 20-23. See also col. 7, lines 9-14. In fact, as will be clearly seen

from Fig. 1 of Manning, the links connecting the telephones are never disconnected. Thus, Manning fails to disclose or suggest at least one element of claim 1.

Additionally, Manning fails to disclose or suggest at least a second element of claim 1. Claim 1 recites “disconnect[ing] the at least one telephony device from the telephone link to facilitate provision of the at least one telephony service to the at least one telephony device.” Manning does not disclose or suggest the facilitation of provision of any type of service to a telephone device in connection with, or during, any disconnection of the telephony device from a telephone link. As stated above, Manning does not disclose or suggest that the telephony device is disconnected from the telephone link. Consequently, Manning does not disclose or suggest the facilitation of a service to the telephony device in the disconnected state. In the examples discussed in Manning of store and forward dialing (col. 6, line 4 - col. 7, line 30); storing a number for speed dialing and speed dialing itself (col. 7, lines 42-65); provisioning of intra-Lata calls (col. 7, line 66 - col. 8, line 21); billing code generation (col. 8, lines 21-34); toll restriction (col. 8, lines 34-55) and transmitting data entirely within a given telephone link (col. 8, line 56 - col. 9, line 55), the telephone of Manning is always connected to the telephone link. For this reason, Manning does not disclose or suggest “disconnect[ing] the at least one telephony device from the telephone link to facilitate provision of the at least one telephony service to the at least one telephony device.” Thus, Manning fails to disclose or suggest at least a second element of claim 1.

Moreover, Kikinis fails to rectify these deficiencies of Manning, because Kikinis also fails to disclose or suggest the elements of claim 1 of the application discussed above. For this reason, Manning in combination with Kikinis fail to disclose or suggest all elements of claim 1 of the application, and claim 1 should be allowed.

Claims 2-22 each depend from claim 1. As stated above, Manning and Kikinis in combination fail to disclose or suggest at least two elements of claim 1. Thus, Manning and Kikinis additionally fail to disclose or suggest at least two elements of each of claims 2-22. Therefore, claims 2-22 should also be allowed.

CONCLUSION

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete response has been made to the Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

Dated: Monday, June 14, 2004
June 12, 2004 = Saturday

Respectfully submitted,

By 

Sinan Utku

Registration No.: 46,137

Paul I. Berman

Registration No.: 36,744

COVINGTON & BURLING

1201 Pennsylvania Avenue, NW

Washington, D.C. 20004-2401

(202) 662.6000

Attorneys for Applicant